

## REMARKS

Claims 1, 2, 5-19, 22, 24-36, and 38 are presently pending in the application. Claims 15-19, 22, 24, and 26-34 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter in which Applicant regards as the invention. Claims 1, 2, 5, 6, 8-14, and 25 are allowed.

Claim 15 was rejected due to being unclear what is meant by “determining the number of elementary streams of the identified program, wherein the number of PID values in the set of PID values assigned to the elementary streams of the program is less than or equal to the number of elementary streams of the identified program.”

Accordingly, claim 15 was amended to more distinctly claim the present invention. More specifically, as amended, the number of assigned PID values to elementary streams may be more or less than the number of elementary streams.

As stated in the specification (page 20, lines 12-17), when a PID value is assigned to an elementary stream, the PID value cannot be assigned to any other elementary stream. When a session is started, the allocated PID values can be thought as being assigned to the elementary streams of the program, instead of being assigned to the session. Thus, when the elementary streams are multicast through more than one output port 408, as shown in FIG. 8, the elementary streams of the multicast program have the same set of assigned allocable PIDs.

By way of example, pages 17, lines 31-35 and 18, lines 1-2 state “referring to FIG. 8, PID number 1100 is currently assigned to an elementary stream or streams transmitted from output ports 408(A), 408(B) and 408(C). It is important to note the elementary stream(s) transmitted from output ports 408(A), 408(B) and 408(C) having the PID value 1100 may or may not be the same elementary stream.”

Therefore, the claimed step is directed towards assigning available PID values to elementary streams. Additionally, some of those elementary streams may be multicasted programs; therefore, some of the elementary streams may have the same assigned PID values, thereby resulting in the number of assigned PID values being less than the number of elementary streams.

Claim 16 was rejected to being unclear why the first and second programs each have “a PMT identified by a PMT\_PID value associated therewith” when a PMT\_PID is already assigned to the session. It is unclear whether or not the PMT\_PID associated with the PMT and the session is the same. It is also unclear how “the first and second PMTs have the same PMT\_PID value” and whether or not the corresponding sessions also have the same PMT\_PID value.

Claim 16 was amended to more distinctly claim the patentable invention. As amended, the apparatus sets up a session for each program, where each program has an associated set of elementary

streams. A PMT\_PID value corresponding to a PMT is then assigned to each session. PIDs, which are referenced in the PMT, are then assigned to the elementary streams. The apparatus also includes a plurality of output ports for transmitting a transport stream. The transport stream includes programs associated with a session. If a program is multicasted, the programs (i.e., the first and second programs) each have an associated PMT\_PID value that corresponds to a PMT. Furthermore, since the programs are multicasted, the PID values of the elementary streams referenced in the PMT(s) are the same.

FIG. 10 illustrates the steps for a unicast or a multicasted program. Particularly, the specification on page 21, lines 4-23 discuss amended claim 16. More specifically, the first and second programs have a PMT identified by a PMT\_PID value in order to reference the PID values of the elementary streams. The PMT\_PID value is assigned during the session set up and is associated with a program. Each program then references its associated PMT\_PID value in order to access the PMT in order to further to access the PID values. In the case of a multicasted program, a session is set up for each multicast of the program with a unique PMT\_PID value referencing the PMT. The PMT, which may be the same or different PMT, includes common PID values referencing the common elementary streams for each multicast of the program.

It is believed that claims 17-19, 22, and 26-34 further limit claim 16, and would be allowable if the indefiniteness rejection is overcome. Claim 24 was canceled due to it being the same as claim 22.

Reconsideration of the indefiniteness rejection for claims 15-19, 22, and 26-34 is respectfully requested in view of the foregoing amendments and in view of the remarks.

### CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action dated April 10, 2007. Claims 1, 2, 5, 6, 8-19, 22, and 25-34 will be pending in the present application upon entry of the present amendment, with claims 1, 5, 15, 16, and 25 being independent. Based on the amendments and remarks set forth herein, Applicant respectfully submits that the subject patent application is in condition for allowance. Because the claims may include additional elements that are not taught or suggested by the cited art, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

Upon entry of the foregoing Response, the above-identified patent application includes 5 independent claims. Because Applicant has previously paid for 38 total claims and 5 independent claims, it is believed that no additional fee is due. Should it be determined that any excess fee has been received, the Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to deposit account #19-0761.

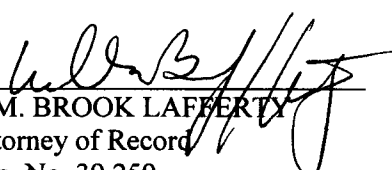
Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned agent at the below-listed number.

Respectfully submitted:

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